

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT**

MISTY BLANCHETTE PORTER, M.D.,

Plaintiff,

vs.

DARTMOUTH-HITCHCOCK MEDICAL
CENTER, DARTMOUTH-HITCHCOCK
CLINIC, MARY HITCHCOCK
MEMORIAL HOSPITAL, and
DARTMOUTH-HITCHCOCK HEALTH,

Defendants.

Case No. 2:17-cv-194

**DEFENDANTS' MOTION IN LIMINE TO PRECLUDE DUPLICATIVE TESTIMONY
OF DR. PORTER'S QUALIFICATIONS AS A PHYSICIAN**

Defendants Dartmouth-Hitchcock Medical Center, Dartmouth-Hitchcock Clinic, Mary Hitchcock Memorial Hospital, and Dartmouth-Hitchcock Health (collectively, "Defendants" or "Dartmouth Health") hereby move, pursuant to Fed. R. Evid. 401 and 403, as well as the Order issued by this Honorable Court on January 13, 2025, at ECF Docket No. 194, to preclude Plaintiff Misty Blanchette Porter, M.D.'s ("Plaintiff" or "Dr. Porter") reference, through oral argument, trial testimony, or pleadings, to duplicative testimony related to Dr. Porter's qualifications as a physician (the "Motion"). The grounds for Defendants' Motion are fully set forth in the accompanying memorandum of law. In brief, the exclusion of this testimony is appropriate because Dr. Porter's qualifications as a physician is not at issue in this case, which makes testimony related to her qualifications both irrelevant and a waste of the Court's time and jury deliberations. Even if

the Court were to find this evidence relevant, the risk of wasting the jury's time and confusing the issues seriously outweighs its probative value.

Pursuant to Local Rule 7(a)(7), Defendants hereby certify that they have made a good faith attempt to obtain Plaintiff's agreement to the requested relief, and such agreement was not obtained. Defendants hereby request an evidentiary hearing on this motion pursuant to Local Rule 7(a)(6).

Date: February 14, 2025

Respectfully submitted,

/s/ Tristram J. Coffin

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that, on February 14, 2025, a copy of the foregoing document was electronically filed through the ECF system and will be sent electronically to all persons identified on the Notice of Electronic Filing.

/s/ Tristram J. Coffin _____

Tristram J. Coffin

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